



<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/707,904	
	Filing Date	January 22, 2004	
	First Named Inventor	James W. Woodcock	
	Art Unit	3671	
	Examiner Name	Victor D. Batson	
Total Number of Pages in This Submission	3	Attorney Docket Number	718721.1

ENCLOSURES (check all that apply)		
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Blackwell Sanders Peper Martin LLP	
Signature		
Printed Name	Mark E. Stallion	
Date	May 25, 2005	Reg. No. 46,132

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Express Mail Label No.: EV 390580508 US			
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Typed or printed name	Lisa Askew	Date	May 25, 2005

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5-26-05

Jfw

PATENT  
718721.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: James W. Woodcock	:	Examiner: Victor D. Batson
	:	
Serial No.: 10/707,904	:	Group Art Unit: 3671
	:	
Filed: January 22, 2004	:	Attorney Docket No.: 718721.1
	:	
For: CULVERT OPENING AND CLEANING APPARATUS	:	Customer No.: 027128
	:	
	:	Confirmation No.: 1903
	:	
Last Office Action: April 29, 2005	:	

**RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated April 29, 2005, Applicant hereby elects for prosecution at this time Group I claims 1-8, drawn to a culvert opening and cleaning apparatus. The election of Group I claims is made with traverse without prejudice to the elected Group I claims and without prejudice to the non-elected Group II claim.

Reconsideration and withdrawal of the requirement for restriction are respectfully requested. The Applicant contends that Group I and II claims are closely related and have a common utility. Specifically, the culvert cleaning apparatus and the method of cleaning a culvert have common utility. The Applicant further contends that the Group I and II claims don't pose a serious burden for the examiner by requiring two separate searches.

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Response to Restriction Requirement

Because Applicant may wish to pursue claims of the non-elected Group at a later date by Divisional Application, if necessary, it is requested that these claims, pursuant to 37 CFR 1.142, be permitted to remain in the application, but withdrawn from examination.

This response does not present any new matter. Accordingly, as all requirements of the Action have been complied with, an action on the merits and a Notice of Allowance are hereby respectfully solicited.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,

Date: \_\_\_\_\_

May 25, 2005



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